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JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE  
7 FLOOR-1, NO. 100  
ROOSEVELT ROAD, SECTION 2  
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**MAY 06 2004**

**OFFICE OF PETITIONS**

|                                 |   |                     |
|---------------------------------|---|---------------------|
| In re Application of            | : |                     |
| Chii-Chang Chen et al.          | : |                     |
| Application No. 10/605,400      | : |                     |
| Filed: February 17, 2004        | : | DECISION ON RENEWED |
| Attorney Docket No.             | : | PETITION            |
| 11142-US-PA                     | : |                     |
| Title: BEAMSPLITTER UTILIZING A | : |                     |
| PERIODIC DIELECTRIC STRUCTURE   | : |                     |

This is a decision on the renewed petition filed April 27, 2004, in which Petitioner requests the later filing date for the above-identified application.

On September 29, 2003, the above-identified application was deposited. On December 17, 2003, the Office of Initial Patent Examination (OIPE) mailed a "Notice of Omitted Item(s) in a Non-provisional Application - Filing Date Granted (notice)", advising applicant that Figures 1A-1D appeared to have been omitted. The Notice set a two-month period for response.

On February 12, 2004, Petitioner submitted a response, along with Figures 1A-1D and payment of the petition fee. Based on Petitioner's statement of the resolution which he seeks, it is clear that Petitioner accepts the date of deposit of the formerly omitted drawings as the filing date.

The original petition was received on February 17, 2004, and was dismissed via the mailing of a decision on April 16, 2004.

With the renewed petition, it has been made clear that the drawings were received in the Office via facsimile transmission

on February 12, 2004, and a second copy was subsequently received by mail on February 17, 2004.

As such, the renewed petition is **GRANTED**.

After the mailing of this decision, the application will be forwarded to the Office of Initial Patent Examination (OIPE) for further processing with a filing date of February 17, 2004, using the drawings submitted on that date as well as the papers originally submitted on September 29, 2003. OIPE will then mail a filing receipt indicating that the application has been accorded a filing date of February 17, 2004.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0011.



**Paul Shanowski**  
**Senior Attorney**  
**Office of Petitions**  
**United States Patent and Trademark Office**